GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – Agriculture & Cooperation Department – Disciplinary Matters – Irregularities in distribution of fertilizers through RBKs at Nizampatnam Mandal, Repalle Sub-division – Prima facie established - Disciplinary action against Smt.M.Vijaya Bharathi, the then Joint Director of Agriculture, Guntur and presently working as Joint Director of Agriculture (SC), O/o C&DA, A.P., Guntur, under A.P. Civil Services (CC&A) Rules, 1991 - Articles of Charge - Issued.

AGRICULTURE & CO-OPERATION (VIG.I) DEPARTMENT

G.O.RT.No. 566 **Dated: 04-09-2024**

Read the following:

1. From the Special Commissioner of Agriculture, A.P., Guntur, Letter No.Vig.II(2) AGC01-32027(32)/21/2021, dt.12.06.2022.
2. Govt. Memo.No.AGC01-AGRI/162/2022, A&C (Vig.I) Dept., dt.04.07.2022.
3. Govt. Memo. No. AGC01-AGRI/60/2023-VIG-I (1), dt.17.02.2023 & 07.06.2023. (Consolidated reminder).
4. From the Special Commissioner of Agriculture, A.P., Guntur, Lr.No.AGC02-32027(32)/21/2021, dt.29.06.2023.
5. Govt. Memo.No.AGC01-AGRI/162/2022, A&C(Vig.I) Dept., dt.07.07.2023.
6. From the Special Commissioner of Agriculture, A.P., Guntur, Lr.No.AGC01-32027(32)/21/2021, dt.10.04.2024.
7. G.O.Rt.No.327, A&C(Vig.I) Dept.,, dt.25.04.2024.
8. Govt. Memo.No.AGC01-AGRI/162/2022, A&C(Vig.I) Dept., dt.25.04.2024.
9. From the Director of Agriculture, A.P., Guntur, Lr.No.AGC02-32027(32)21/2021, dt.31.07.2024.

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It is proposed to hold an enquiry against Smt.M.Vijaya Bharathi, the then Joint Director of Agriculture, Guntur and presently working as Joint Director of Agriculture (SC), O/o Commissioner & Director of Agriculture, A.P., Guntur, with regard to irregularities in distribution of fertilizers through RBKs at Nizampatnam Mandal, Repalle Sub-division, in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I), Statement of imputation of misconduct or misbehavior on which action is proposed to be taken against her as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Smt.M. Vijaya Bharathi, the then Joint Director of Agriculture, Guntur and presently working as Joint Director of Agriculture (SC), O/o Commissioner & Director of Agriculture, A.P., Guntur, is directed to submit a Written Statement of Defense (WSD) within (10) days of the receipt of this order.

4. Smt.M.Vijaya Bharathi, the then Joint Director of Agriculture, Guntur and presently working as Joint Director of Agriculture (SC), O/o Commissioner & Director of Agriculture, A.P., Guntur, is informed that an inquiry will be held only in respect of those Articles of Charge as are not admitted. She should therefore, specifically admit or deny each Articles of Charge.

5. Smt.M.Vijaya Bharathi, the then Joint Director of Agriculture, Guntur and presently working as Joint Director of Agriculture (SC), O/o Commissioner & Director of Agriculture, A.P., Guntur, is further informed that if she does not submit her Written Statement of Defense (WSD) on or before the date specified in para-3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of A.P.Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against her ex-parte.

(P.T.O.)

6. Attention of Smt.M.Vijaya Bharathi, the then Joint Director of Agriculture, Guntur and presently working as Joint Director of Agriculture (SC), O/o Commissioner & Director of Agriculture, A.P., Guntur, is invited to rule 24 of the A.P. Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further her interest in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that she is aware of such a representation and that it has been made at her instance and action will be taken against her for violation of rule 24 of the A. P. Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Smt.M.Vijaya Bharathi, the then Joint Director of Agriculture, Guntur and
presently working as Joint Director of Agriculture (SC), O/o C&DA, A.P., Guntur.
(through the Director of Agriculture, A.P., Guntur)

Copy to:
The Director of Agriculture, A.P., Guntur,
(With a request to serve the original G.O. on the Charged Officer and obtain her dated acknowledgement on the Xerox copy and furnish the same along with her Written Statement of Defense (WSD) to the Government)
Sf/Sc.

// FORWARDED BY ORDER//

SECTION OFFICER

(Contd. Annexures...)

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SMT.M.VIJAYA BHARATHI, THE THEN JOINT DIRECTOR OF AGRICULTURE, GUNTUR AND PRESENTLY WORKING AS JOINT DIRECTOR OF AGRICULTURE (SC), O/o C & DA, A.P., GUNTUR:

Articles of Charge:

"that the said Smt. M. Vijaya Baharathi, while working as Joint Director of Agriculture, Guntur has failed to monitor and supervise the lapses occurred in indenting, stocking and distribution of fertilizers to the farmers through RBKs in Nizampatnam Mandal and also failed to position the fertilizers in RBK Godown and allowed to place the fertilizer in private dealers' Godowns and allowed to sell the fertilizers by the private dealers.

The above said deviations have occurred due to her slackness in monitoring the activities of the RBKs through the concerned Staff and thereby defeated the spirit of RBKs to deliver the fertilizers to the door steps of the farmers.

Thus, the above said slackness and supervisory lapses show her 'misconduct', thereby violating rule 3 of A.P. Civil Services (Conduct) Rules, 1964.

Sd/- B. Rajsekhar
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

(P.T.O.)

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SMT.M.VIJAYA BHARATHI, THE THEN JOINT DIRECTOR OF AGRICULTURE, GUNTUR AND PRESENTLY WORKING AS JOINT DIRECTOR OF AGRICULTURE (SC), O/o C&DA, A.P., GUNTUR:

Basis of Charge:

Sri Mopidevi Venkata Ramana, M.P. (RS) and the Sarpanch of Dindi Village of Nizampatnam Mandal have complained against the Mandal Agriculture Officer, Nizampatnam, with regard to alleged storge, diversion and sale of fertilizers made through private dealer in Nizampatnam Mandal which are allotted to RBKs.

The Special Commissioner of Agriculture, A.P., Guntur has observed that the above said deviations have occurred mostly in Guntur District due to the failure of Smt.M.Vijaya Bharathi, the then Joint Director of Agriculture, Guntur in the following aspects:

1. Defeating the spirit of RBKs to deliver the fertilizers to the farmers at their doorsteps due to her gross negligence;
2. Irregularities have been occurred with full awareness of the Joint Director of Agriculture, Guntur;
3. Very poor attention in implementing Dr.YSR RBKs, being a flagship programme of the Government; and
4. Not initiating immediate corrective action on the complaints regarding RBKs on top priority.

Thus, the above lapses show the 'misconduct' of Smt.M.Vijaya Bharathi, the then Joint Director of Agriculture, Guntur, thereby violating rule 3 of A.P. Civil Services (Conduct) Rules, 1964. Hence, the Charge.

Sd/- B. Rajsekhar
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

(Contd.p.3)

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGE FRAMED AGAINST SMT.M.VIJAYA BHARATHI, THE THEN JOINT DIRECTOR OF AGRICULTURE, GUNTUR AND PRESENTLY WORKING AS JOINT DIRECTOR OF AGRICULTURE (SC), O/o C&DA, A.P., GUNTUR PROPOSED TO BE SUSTAINED:

1. Lr. No.413/2021/MP(RS) -RPL, dated 17-09-2021 of Sri Mopidevi Venkata Ramana, Hon'ble Member of Parliament, Rajya Sabha.
2. Lr. dated 21-09-2021 of the Sarpanch, Dindi village, Nizampatnam Mandal.
3. Enquiry report of the Inquiry officer and DDA (FTC), Bapatla dated: 27-10-2021.
4. Lr.No.Estt/ATMA/Inq.6/2023, dt.24.08.2023 & 21.12.2023 of Director ATMA, Mangalagiri.

Sd/- B. Rajsekhar
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESS BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SMT.M.VIJAYA BHARATHI, THE THEN JOINT DIRECTOR OF AGRICULTURE, GUNTUR AND PRESENTLY WORKING AS JOINT DIRECTOR OF AGRICULTURE (SC), O/o C & DA, A.P., GUNTUR PROPOSED TO BE SUSTAINED:

1. Village Agriculture Assistants of Nizampatnam Mandal.
2. Staff working in O/o Asst. Director of Agriculture (R), Repalle Sub Division.

Sd/- B. Rajsekhar
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER